

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

GABRIEL JOHN SARACENO,  
aka Jonathan Picollo,

Petitioner,

v.

WARDEN CLAY,

Respondent.

Case No. CV 08-7744-PSG (OP)

ORDER ADOPTING FINDINGS,  
CONCLUSIONS, AND  
RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition, all the records and files herein, and the Amended Report and Recommendation of the United States Magistrate Judge, and the objections filed by Petitioner and Respondent, de novo. The Court concurs with and adopts the findings, conclusions, and recommendations of the Magistrate Judge,

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1 IT IS ORDERED that Judgment be entered: (1) approving and adopting this  
2 Amended Report and Recommendation; (2) denying Respondent's Motion to Dismiss  
3 as moot; and (3) directing that Judgment be entered denying the First Amended  
4 Petition and dismissing this action with prejudice.

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7 DATED: July 20, 2010

  
HONORABLE PHILIP S. GUTIERREZ  
United States District Judge

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10 Prepared by:

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13 HONORABLE OSWALD PARADA  
14 United States Magistrate Judge  
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